



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,134	11/30/2000	Norbert Wolters	8874-US	2924
30689	7590	04/10/2007	EXAMINER	
DEERE & COMPANY ONE JOHN DEERE PLACE MOLINE, IL 61265			ART UNIT	PAPER NUMBER

DATE MAILED: 04/10/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliant Appeal Brief (37 CFR 41.37) in Ex Parte Reexamination	Control No.	Patent Under Reexamination	
	09/727,134	WOLTERS ET AL.	
	Examiner	Art Unit	
	Árpád Fábián Kovács	3671	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 05 February 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37(c).

Patent owner is given a TIME PERIOD of ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this Notification for filing a new complete brief. If a new complete brief that fully complies with 37 CFR 41.37(c) is not timely submitted, the appeal will be dismissed as of the expiration of the period for reply to this Notification. Extensions of this time period may be obtained only under 37 CFR 1.550(c).

1. The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. The brief does not contain a statement of the status of all claims (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. The brief does not comply with 37 CFR 41.37(c)(1)(v) in that it fails to (1) contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; (2) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (3) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters.
5. The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. The brief does not contain, as an appendix thereto (37 CFR 41.37(c)(1)(ix)), copies of the evidence submitted under 37 CFR 1.130, 131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner.
9. The brief does not contain, as an appendix thereto (37 CFR 41.37(c)(1)(x)), copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief.
10. Other (including any explanation in support of the above items):

Statement of the status of all claims ever in the case should be listed (see #2 above).

Each of the independent claims should be mapped and should contain explanation of the subject matter defined therein (see #4 above).

Statement of grounds of rejection should only contain one item, i.e. the US 103 rejection (see #5 above).

The argument section should have one subheading, i.e. in response to the US 103 rejection (see #6 above).

* If this is a merged proceeding, one copy must be added for each reexamination in addition to the first reexamination.



Árpád Fábián Kovács
Primary Examiner
Art Unit: 3671

cc: Requester (if third party requester)

U.S. Patent and Trademark Office

PTOL-462R (Rev. 09-04)

Notification of Non-Compliant Appeal Brief (37 CFR 41.37) in *Ex Parte* Reexamination

Part of Paper No. 20070402